

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:19-cr-403-MOC-DCK

UNITED STATES OF AMERICA

vs.

ELEONEL CASTREJON GARCIA,

Defendant.

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**ORDER**

**THIS MATTER** is before the Court on Defendant's Motion to Appoint Counsel and for a Sentence Reduction under USSC Amendment 821. (Doc. No. 234).

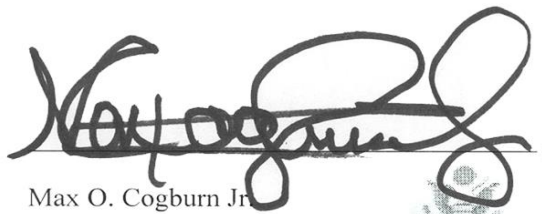
Defendant's motion to appoint counsel is denied at this time, as he has no constitutional right to counsel in assisting him with filing a post-conviction motion to vacate or reduce sentence, and Defendant has not set forth any exceptional circumstances warranting appointment of counsel. See Pennsylvania v. Finley, 481 U.S. 551, 554 (1987); Hunt v. Nuth, 57 F.3d 1327, 1340 (4th Cir. 1995).

Furthermore, it appears that Defendant is ineligible for a sentence reduction under Amendment 821. Nevertheless, the Court will require the Government to respond to the motion.

**ORDER**

**IT IS, THEREFORE, ORDERED** that within 20 days the Government shall file a response to Defendant's Motion for a Sentence Reduction under USSC Amendment 821.

Signed: February 26, 2024



Max O. Cogburn Jr.  
United States District Judge